

REMARKS

Claims 94, 96-121, 124, 127-170 remain pending in the above-referenced patent application. Of these, claims 94, 96-103, 106, 107, 112, 115, 116, 121, 127, 129-145, 151, 152, 158 and 163 have been considered on the merits. Claims 104, 105, 108-111, 113, 114, 117-120, 128, 146-150, 153-157 and 159-162 have been withdrawn from consideration as being drawn to a non-elected species. Applicants respectfully request further consideration of the claims, in view of the amendments set forth above and the following remarks in this Supplemental Amendment E, considered together with the remarks previously-submitted in Supplemental Amendment D and in Amendment C.

Rejections Under 35 U.S.C. § 112 (Enablement)

As noted in the previously-submitted Amendment C, the Office action has rejected each of the considered claims as being non-enabled by the specification. Specifically, it is alleged that one skilled in the art would not have been able to make and/or use the invention as claimed without undue experimentation. (*See* paragraph 8 at pages 5-8 of the Office action).

Applicants respectfully traverse these grounds of rejection, in view of the remarks already of record in Amendment C, as supplemented in Supplemental Amendment D, and as further supplemented herein as follows.

Applicants hereby submit the Declaration of Adam L. Safir. As evidenced by this Declaration, the invention is fully enabled by the specification, particularly when appropriate consideration is given to the *nature of the invention* – here relating to a particular protocol involving a substrate-based format for preparing and screening arrays of non-biological organic polymers. It is particularly relevant, in this regard, that (i) *known* polymerization techniques can be used to practice the invention, (ii) the *state of the art* for polymerization is well developed, and (iii) the *level of skill* in the art is high. It is also highly relevant that the specification provides *substantial guidance* relating to the particular aspects and techniques that relate to the particular format, that is, the particular *nature of the invention*, that Applicants are claiming.

In view of this evidence, Applicants respectfully submit that the instant basis for rejection should be withdrawn.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Applicants believe that no further amendments are required in connection with this Supplemental Amendment E. If necessary however, the Examiner is also authorized to debit any necessary fees for this amendment, or any other fees required in connection with this application, or to credit any overpayment of fees in connection with this application to Deposit Account No. 50-0496.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul A. Stone". The signature is stylized with a large initial "P" and a cursive "Stone".

Date Submitted: Feb. 11, 2004

Paul A. Stone  
Reg. No. 38,628

Symyx Technologies, Inc.  
3100 Central Expressway  
Santa Clara, CA 95051  
Phone: (408) 773-4027  
Fax: (408) 773-4029